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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
15499.377.3

In Re Application Of: Nye et al.

MAR 25 2004

Serial No.  
10/722,664

Filing Date  
11/25/2003

Examiner  
Not Assigned

Group Art Unit  
Not Assigned

Title: **BASKETBALL BACKBOARD**

Address to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

**OR**

☐ the fee set forth in 37 CFR 1.17(p).

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**BASKETBALL BACKBOARD****Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **23-3178** as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☐ Credit any overpayment.
- ☒ Charge any additional fee required.

**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F:

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited on March 22, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Richard C. Gilmore

Typed or Printed Name of Person Mailing Certificate

\*This certificate may only be used if paying by deposit account.

Signature

Dated: 3-22-04

RICHARD C. GILMORE, Reg. No. 37,335

CUSTOMER NO. 022913

CC:



PATENT APPLICATION  
Docket No: 15499.398.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of		)
		)
Nye et al.		)
		)
Serial No.:	10/722,664	)
		)
Filed:	November 25, 2003	)
		)
For:	BASKETBALL BACKBOARD	)

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Please find, pursuant to 37 C.F.R. § 1.98 (a) (1), enclosed Form PTO-1449 that contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56 (c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 37 C.F.R. §§ 102 or 103, the enclosed list of references is disclosed to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Pursuant to 37 C.F.R. § 1.97 (g) and (h), Applicant makes no representation that a search has been made or that the information cited is considered to be material to patentability. Additionally, Applicant makes no representation regarding the completeness of this list nor represents that other art does not exist.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

In accordance with 37 C.F.R. § 1.98 (c), all English translations within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56 (c) of each non-English reference, if any, are also enclosed.

DATED March 22, 2004.

Respectfully submitted,



RICHARD C. GILMORE  
Attorney for Applicant  
Registration No. 37,335

**CUSTOMER NO. 022913**

RCG:df  
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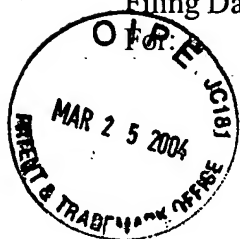
Applicant: Nye et al.

Serial No.: 10/722,664

Att'y Docket No.: 15499.398.1

Filing Date: November 25, 2003

BASKETBALL BACKBOARD

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANTU.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
_____ A1	6,186,911	02/13/2001	Manthey
_____ A2	6,004,231	12/21/1999	Schickert et al.
_____ A3	5,980,401	11/09/1999	Erlewine
_____ A4	5,980,400	11/09/1999	Schickert
_____ A5	5,916,047	06/29/1999	Schickert et al.
_____ A6	5,839,982	11/24/1998	Hying et al.
_____ A7	5,827,136	10/27/1998	Halter et al.
_____ A8	5,722,902	03/03/1998	Dupree
_____ A9	5,597,158	01/28/1997	Spikes
_____ A10	4,826,162	05/02/1989	Allen
_____ A11	4,478,415	10/23/1984	Schaffer et al.
_____ A12	4,372,555	02/08/1983	Sorensen
_____ A13	4,320,896	03/23/1982	Engle et al.
_____ A14	3,964,743	06/22/1976	Salsich, Sr.
_____ A15	3,788,642	01/29/1974	Matras et al.
_____ A16	3,603,588	09/07/1971	Ebstein

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Nye et al.

Serial No.: 10/722,664

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For: BASKETBALL BACKBOARD

U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
_____ A17	3,233,897	02/08/1966	Sheets
_____ A18	D445,857	07/31/2001	Schickert et al.

Foreign Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publication Date</u>	<u>Country or Patent Office</u>
NONE			

Other Documents

(including author, title, pertinent pages, etc.)

Examiner  
Initial\*

NONE

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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For: BASKETBALL BACKBOARD

**References Cited by Applicants**

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

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Examiner:

Date Considered:

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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